

**BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP**

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CENTRAL FAX CENTER****APR 03 2007****FACSIMILE COVER SHEET**

Deliver to: Daborah Chacko Davis, USPTO Art Group: 1756  
Facsimile No.: (571) 273-8300 Date: April 3, 2007  
From: Brent E. Vecchia, Reg. No. 48,011  
Our Docket No.: 42P17301 Number of pages 16 including this sheet.  
Application No.: 10/687,288 Filing Date: 10/15/2003  
Docket Due Date(s): \_\_\_\_\_

Enclosed are the following documents:

<input type="checkbox"/> Amendment: _____ ( ____ pgs)	<input type="checkbox"/> Issue Fee Transmittal
<input type="checkbox"/> Appeal Brief ( ____ pgs)	<input type="checkbox"/> Notice of Appeal
<input type="checkbox"/> Application: _____ ( ____ pgs) w/cover & abstract	<input type="checkbox"/> Petition for: _____
<input type="checkbox"/> Assignment & Cover Sheet ( ____ pgs)	<input type="checkbox"/> Request for Continued Examination (RCE)
<input type="checkbox"/> Certificate of _____	<input type="checkbox"/> Reply Brief ( ____ pgs)
<input type="checkbox"/> Continued Prosecution Application (CPA)	<input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i)
<input type="checkbox"/> Declaration & POA ( ____ pgs)	<input type="checkbox"/> Request to Rescind Previous Nonpublication Request
<input type="checkbox"/> Drawings: ____ sheets, ____ figures	<input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter
<input type="checkbox"/> Extension of Time: _____	<input type="checkbox"/> Response to Written Opinion ( ____ pgs)
<input type="checkbox"/> Fee Transmittal (in duplicate)	<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> IDS & PTO/SB/08 ( ____ pgs)	<input type="checkbox"/> Transmittal of Publication Fee Due
<input checked="" type="checkbox"/> Other: <u>Letter Accompanying Copy of Previously Timely Faxed Response and Certificate of Facsimile; copies of</u> <u>previously faxed Response (Fax Cover Sheet, Transmittal Form, Fee Transmittal (in duplicate) and Response to</u> <u>Office Action).</u>	<input type="checkbox"/> Transmittal Letter

**CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)**

I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office.

Wendi Lou Rostan  
Wendi Lou Rostan

4/3/2007

Date

**Confidentiality Note:** The documents accompanying this facsimile transmission contain information from the law firm of Blakely, Sokoloff, Taylor & Zafman which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

If you do not receive all the pages, or if there is any difficulty in receiving, please call: (408) 720-8300 and ask for Wendi Lou Rostan.

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APR 03 2007

Application No. : 10/687,288

1<sup>st</sup> Named Inventor : Wang Yueh

Filed : 10/15/2003

Docket No. : 42P17301

Confirmation No. : 7538

Art Unit : 1756

Examiner : Daborah Chacko Davis

Customer No. : 8791

LETTER ACCOMPANYING COPY OF PREVIOUSLY TIMELY FAXED RESPONSE  
AND CERTIFICATE OF FACSIMILE UNDER 37 C.F.R. §1.8Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

On Friday, March 30, 2007, we received a phone call from the USPTO notifying us that they had not received a Response to the outstanding Office Action mailed on 9/27/06. On 4/2/07, I phoned Supervisory Patent Examiner Mark Huff regarding this case. I told Mr. Huff that we previously attempted to fax a response to the outstanding Office Action on 12/27/06, but that we did not have a fax confirmation receipt from the USPTO. Mr. Huff asked if the response we attempted to fax had a certificate of facsimile transmission. I confirmed that the response we had

CERTIFICATE OF TRANSMISSION (37 CFR 1.8A)

I hereby certify that this correspondence is, on the date shown below, being transmitted by facsimile to the Patent and Trademark Office.

 4/3/07  
Wendi Lou Rostan Date

App. No. \_  
BEV/wlr

- 1 -

Dkt. No. \_

attempted to fax did indeed include a certificate of facsimile transmission. Mr. Huff mentioned that, since the response included a certificate of facsimile transmission, the USPTO may record that the response was timely filed on 12/27/06. Mr. Huff suggested that we send a copy of the previously faxed response, including the certificate of facsimile transmission, to the USPTO. The USPTO would review the response and determine whether or not it constituted a timely submission. Accordingly, accompanying this letter is a copy of the previously faxed response bearing the certificate of facsimile transmission dated 12/27/06. Applicants respectfully request that the USPTO review this response, afford it a timely submission date of 12/27/06, and allow the response to be entered.

Thank you for your assistance in this matter. If you have any questions or comments, please call me at 303-740-1980.

Should any fees be required, please charge said fees to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 4/3/07.

By Brent E. Vecchia  
Brent E. Vecchia, Reg. No. 48,011  
Tel.: (303) 740-1980 (Mountain Time)

12400 Wilshire Boulevard, Seventh Floor  
Los Angeles, California 90025

FACSIMILE: (408) 720-8383

PAGE 4/16 \* RCVD AT 4/3/2007 6:24:53 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-2/6 \* DNIS:2738300 \* CSID:3037406962 \* DURATION (mm-ss):12-00

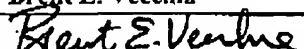
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APR 03 2007

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)		Application No.	10/687,288
		Filing Date	October 15, 2003
		First Named Inventor	Wang Yueh
		Art Unit	1756
		Examiner Name	Daborah Chacko Davis
Total Number of Pages in This Submission	13	Attorney Docket Number	42P17301

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; margin-top: 10px;">Facsimile Transmittal Sheet</div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Brent E. Vecchia, Reg. No. 48,011 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	December 27, 2006

CERTIFICATE OF MAILING/TRANSMISSION			
I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office.			
Typed or printed name	Brent E. Vecchia		
Signature		Date	December 27, 2006

Based on PTO/SB/21 (09-04) as modified by Blakely, Sokoloff, Taylor & Zafman (ndc) 10/12/2006.  
 SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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<b>FEE TRANSMITTAL for FY 2006</b> <small>Patent fees are subject to annual revision.</small>		<b>Complete if Known</b>	
		APR 03 2007	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.		Application Number	10/687,288
		Filing Date	October 15, 2003
		First Named Inventor	Wang Yueh
		Examiner Name	Daborah Chacko Davis
		Art Unit	1756
		Attorney Docket No.	42P17301
<b>TOTAL AMOUNT OF PAYMENT</b>		<b>(\$)</b>	0.00

**METHOD OF PAYMENT (check all that apply)**

☐ Check ☐ Credit card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayment of fee(s) ☒ Credit any overpayments

under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.

**FEE CALCULATION**

**1. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
15	20*	0	\$0.00
Independent Claims	2	0	\$0.00
Multiple Dependent			

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 50	2202 25	Claims in excess of 20
1201 200	2201 100	Independent claims in excess of 3
1203 360	2203 180	Multiple Dependent claim, if not paid
1204 730	2204 395	**Reissue independent claims over original patent
1205 300	2205 150	**Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (1)</b>		<b>(\$) 0.00</b>

\*or number previously paid, if greater. For Reissues, see below

**2. ADDITIONAL FEES**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
2053 130	2053 130	Non-English specification	
1251 120	2251 60	Extension for reply within first month	
1252 450	2252 225	Extension for reply within second month	
1253 1,020	2253 510	Extension for reply within third month	
1254 1,590	2254 795	Extension for reply within fourth month	
1255 2,160	2255 1,080	Extension for reply within fifth month	
1401 500	2401 250	Notice of Appeal	
1402 500	2402 250	Filing a brief in support of an appeal	
1403 1,000	2403 500	Request for oral hearing	
1451 1,510	2451 1,510	Petition to institute a public use proceeding	
1460 130	2460 130	Petitions to the Commissioner	
1607 50	1907 50	Processing fee under 37 CFR 1.17(q)	
1606 180	1806 180	Submission of Information Disclosure Stmt	
1609 790	1809 395	Filing a submission after final rejection (37 CFR § 1.129(e))	
1610 790	2610 395	For each additional invention to be examined (37 CFR § 1.129(b))	
Other fee (specify)			
<b>SUBTOTAL (2)</b>		<b>(\$)</b>	

<b>SUBMITTED BY</b>		<b>Complete (if applicable)</b>	
Name (Print/Type)	Brent E. Vecchia	Registration No. (Attorney/Agent)	48,011
Signature	<i>Brent E. Vecchia</i>	Telephone	(408) 720-8300
		Date	12/27/06

Based on PTO/SB/17 (12-04-05, modified by Blakely, Sokoloff, Taylor & Zafman (w/r) 12/15/2004.  
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for FY 2006**

Patent fees are subject to annual revision.

Complete if Known

APR 03 2007

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$)

0.00

Application Number	10/687,288
Filing Date	October 15, 2003
First Named Inventor	Wang Yueh
Examiner Name	Daborah Chacko Davis
Art Unit	1756
Attorney Docket No.	42P17301

**METHOD OF PAYMENT (check all that apply)**

☐ Check ☐ Credit card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20. ☒ Credit any overpayments

**FEE CALCULATION****1. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
15	20	0	\$0.00
Independent Claims	2	3	0
Multiple Dependent Claims			

Large Entry	Small Entry	Fee Code	Fee (\$)	Fee Description
1202	50	2202	25	Claims in excess of 20
1201	200	2201	100	Independent claims in excess of 3
1203	360	2203	180	Multiple Dependent claim, if not paid
1204	730	2204	395	**Reissue independent claims over original patent
1205	300	2205	150	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (1) (\$)

0.00

\*\*or number previously paid, if greater; For Reissues, see below

**2. ADDITIONAL FEES**

Large Entry	Small Entry	Fee Code	Fee (\$)	Fee Description
1051	130	2051	65	Surcharge - late filing fee or oath
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet
2053	130	2053	130	Non-English specification
1251	120	2251	60	Extension for reply within first month
1252	450	2252	325	Extension for reply within second month
1253	1,020	2253	610	Extension for reply within third month
1254	1,590	2254	795	Extension for reply within fourth month
1255	2,160	2255	1,080	Extension for reply within fifth month
1401	500	2401	250	Notice of Appeal
1402	500	2402	250	Filing a brief in support of an appeal
1403	1,000	2403	500	Request for oral hearing
1451	1,510	2451	1,510	Petition to institute a public use proceeding
1460	130	2460	130	Petitions to the Commissioner
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)
1808	180	1808	180	Submission of Information Disclosure Stmt
1809	790	1809	395	Filing a submission after final rejection (37 CFR § 1.129(g))
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.128(b))

Other fee (specify)

SUBTOTAL (2)

(\$)

Fee Paid

**SUBMITTED BY**

Complete (if applicable)

Name (Print/Type)	Brent E. Vecchia	Registration No. (Attorney/Agent)	48,011	Telephone	(408) 720-8300
Signature	<i>Brent E. Vecchia</i>	Date	12/27/06		

Based on PTO/SB/17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman (w/r) 12/15/2004.  
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